

**REMARKS/ARGUMENTS**

**Favourable reconsideration of this application is respectfully requested in view of the above amendments and the following remarks.**

**In the Examiner's Action claims 1, 3-13 and 17 were rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement.**

**In view of the above amendments it is respectfully submitted that the claims as amended now meet the requirements of 35 U.S.C. § 112.**

**The Examiner has rejected claims 1, 3-13 and 17 as being anticipated by Standal (US 2,972,364). The Examiner is requested to reconsider the rejection in view of the above amendments and the following comments.**

**It is respectfully submitted that the top cutting angle of Standal is quite different from the top cutting angle of the present invention. Referring to figures 7 and 8, the top cutting angle is shown at 32. As set out in claim 1, the top cutting angle is defined by the tooth leading plane and the dimple leading edge plane. Clearly this angle varies over the width since the line which defines the shape of the center of the dimple has a steeper upper slope than a line that defines the outer edge of the dimple. In contrast the lines in Standal which define the shape of the upper edge of the tooth and thus the top cutting angle are the same in the middle as at the edge. This is clear since the lines which define these surfaces are equidistance. A drawing of Standal showing these angles is attached. In addition, copies of figures 7 and 8 are also attached for ease of comparison, wherein the angle defined by the center of the dimple is shown along line "A", which is the angle 32, and wherein the angle defined at the edge of the dimple would extend along line "B" or, in this example, would extend at zero degrees.**

The teeth of the saw blade of the present invention each have a dimple and top surface shaped so as to establish a top cutting angle that varies. The top cutting angle increases as it approaches the center of the tooth. It is suggested that by varying the top cutting angle as stated in amended claim 1, when a board is cut a chip is created which will tend to move away from the cutting edge of the tooth as well as away from the lateral sides of the tooth. Standal, on the other hand, wants to preserve the chip in as long a form as possible since it is an object of the patent to provide chips that are big enough to be saleable. Specifically as stated in column 1 lines 22 - 29, "[i]t is a purpose of my invention to provide a sawtooth applicable to circular saws, band saws, etc. with cutting edges that slice the wood to remove it from between boards and with surfaces that compress the sliced out wood to keep it in chips wherein the wood fibers are long enough to make good pulp for paper making and other uses." (emphasis added) The constant top cutting angle of Standal's tooth can be seen in his figures 1, 2 and 3, but particularly in figure 3, where surface 19 is a copy of edge 23 that is displaced backwardly and upwardly of edge 23. Had surface 19 assumed a different orientation than edge 23, for example by being tilted on an angle other than the same angle as edge 23, then a variable top cutting angle would be shown. However, any orientation of face 19 other than that of edge 23 would imply that the created chip is required to change shape, and so risk breakage, something that Standal is specifically trying to avoid. In contrast the shape of the tooth of the present invention is not adapted to provide useable chips rather it is designed to provide a saw blade with teeth that are robust and cut fast.

Further, Standal's tooth has a leading edge (front cutting edge 20) angle that is generally constant across its entire width, as further illustrated in his figure 6 where face 19 has upper and lower boundaries (the lower boundary being edge 20) that are equidistant as well as being curved. The fact that upper and lower

boundaries of face 19 are equidistant illustrates that the surface inbetween (i.e. face 19) has a constant radius of curvature and so a constant top cutting angle. Since these faces are equidistant it minimizes the manipulation of the chip after it is cut and maximizes the tendency to achieve longer chips. Accordingly, the Standal teeth are quite different from the teeth as claimed in claim 1 and there is nothing in Standal that would lead someone skilled in the art to modify the Standal tooth as taught herein because to modify the Standal teeth as taught herein would result in small chips, something that Standal specifically does not want.

For the reasons set out above it is respectfully submitted that the invention as claimed in amended claim 1 is novel and inventive over Standal. As well, it is submitted that there is nothing in Standal that would lead someone skilled in the art to modify Standal as taught herein. Further, it is submitted that all claims dependent on claim 1 are similarly novel and inventive.

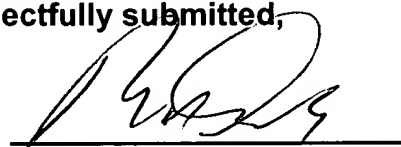
Applicant submits that the amendments to the application are to more clearly and succinctly recite and claim the present invention. It is respectfully submitted that no new matter has been added by these amendments and all the amendments are supported by the original specification as a whole.

It is respectfully submitted that the application is now in condition for allowance, which is requested.

Dated: May 24, 2004

Respectfully submitted,

By:



Ralph A. Dowell  
Attorney for Applicants  
Registration No. 26,868  
DOWELL & DOWELL, P.C.  
1215 Jefferson Davis Highway  
Suite 309  
Arlington, Virginia  
(703) 415-2555

ATTORNEY'S DOCKET NO.: 13744 (253-009-P)